

Bioethics & Jewish Law I Syllabus

Instructor

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Office Hours

By Appointment

Course Overview

This course will lay the foundation for the principles of Bioethics in both secular and Jewish Law. The course will begin by applying the ethics framework to the more introductory areas of Bioethics. Each Unit will include Harvard Business School style case study discussions to practice analysis and application of the framework Jewish Law establishes. Comparative analyses will be performed throughout the course to differentiate and discuss how to navigate differences between Jewish Law and secular ethical approaches used in our healthcare system.

Course Objectives

The goals of this course are to establish a basic framework of both secular and Jewish bioethics that can be applied in the field. Additionally, this course will focus on the ability to break down both classical Jewish texts as well as contemporary articles and secular case law to understand the ramifications of the questions that clinicians and patients will face in the future. This course will strive to create a community of learners that is centered on the contributions of the members to the discussion and as such the expectation is that students will be motivated and engaged on a regular basis.

Course Structure

Each class will run for 2.5 hours and will include lecture on the topic of that day as well as group discussion. Preparation/research for each class session will require advance readings as well as primary text source study in order to be prepared for each session. The expectation is for there to be 6 hours of preparation and fulfillment of assignments per week.

Course Prerequisites

This class will serve as the introductory class for the Certificate. As such there are no prerequisites. This class will earn a total of three (3) credits.

Assessments

There are 2 options for assessments. Option 1 is to submit four (4) essays of 2 pages each, responding to a different reading in each essay (you may not pick more than one reading to respond to from each Unit). Responses should consist of an argument and supporting evidence from the texts (classical and contemporary).

Option 2 is to write a research paper on a topic of your choice related to the course of study. Research papers should be 9-12 pages in length and should use textual evidence to support the argument.

Additionally, Students will post questions and responses to their peers on the class discussion board regarding their analysis of the readings and their preparation of the primary source material. Posts will be substantive and contribute to the deeper analysis of ethical dilemmas.

Grading Policies

The work of each student is graded on the following scale in accordance with the RIETS handbook:

A, A- Excellent – 90 – 100%

B+, B, B- Good – 80 – 89%

C+, C, C- Fair (lowest passing grade) 70 – 79%

F Failure – Below 70%

N No credit

P Pass

Administrative Grades

I Incomplete

G Withdrawal without permission (counted as failure)

L Audit (no credit)

M Missing

W Withdrawal without penalty or prejudice

Y Yearlong (where grade is assigned only after completion of two- semester sequence.)

Incomplete grades may be requested by students to accommodate unavoidable delays in the completion of course requirements and to allow for excused medical emergencies during final examinations. File appropriate forms for incomplete coursework with faculty. If work is not completed by the assigned deadline, the Incomplete defaults to the grade designated by the faculty member based on work completed, or to an F.

Withdrawal requires submission of Drop/Add form to the Registrar and may require written permission of the Office of the Dean. Unless the proper procedures are followed, the student receives a G, equivalent to failure, in the course.

A student who has achieved a passing grade in a course may not retake it. Even if repetition is allowed, the original grade will remain on the record. Credit will be granted only once.

Grading Rubric

Assignments are graded on a standard 5 point system for each of 4 factors: Clarity of Argument, Clarity of Writing, Support Argument with Textual Evidence, Comprehensive Approach To The Subject Material. Each of the 4 categories is tabulated and the total number of points earned (out of 20) is converted into an equivalent percentage which follows the standard letter grade conversion as set forth in the rubric.

Accommodations

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Course Units

Unit Number	Title	Detail
Week 1	Introduction To Bioethics	
Week 2	Introduction To Jewish Bioethics	
Week 3	Obligation To Treat	
Week 4	Patient Refusal & Autonomy	
Week 5	Malpractice	
Week 6	Procreation & Contraception	
Week 7	Infertility Part I	Genetic Material Procurement, Artificial Insemination
Week 8	Infertility Part II	PGD, IVF
Week 9	Surrogacy & Motherhood	
Week 10	Fetal Status & Personhood	
Week 11	Abortion	
Week 12	Definition Of Risk & Injury	
Week 13	Self Injury	
Week 14	Live Organ Donation	
Week 15	Selling Organs	

Assigned Readings

Week 1 – Tom L Beauchamp and James F Childress. *Principles of Bioethics 8th Edition*, Oxford University Press (2019), Selected Chapters.

Week 2 – Alan Jotkowitz. *On The Methodology Of Jewish Medical Ethics*, Tradition Vol. 43 No. 1 (2010); Abraham Steinberg. *Encyclopedia of Jewish Medical Ethics (English)*, Vol II (2003) pp. 380-389; Mordechai Halperin. *Milestones in Jewish Medical Ethics*, Journal of Jewish Medical Ethics Vol. I (2004) pp. 28-73

Week 3 – J. David Bleich. *Judaism And Healing: Halakhic Perspectives*, Chapters 1-2 (1981) pp. 1-26; Fred Rosner. *Biomedical Ethics and Jewish Law*, Chapters 1-2 (2001) pp. 5-19

Week 4 – Abraham Steinberg. *Encyclopedia of Jewish Medical Ethics (English)*, Vol. I (2003) pp. 545-560; Steven H. Resnicoff. *Autonomy In Jewish Law – In Theory And In Practice*, Journal Of Law & Religion Vol. XXIV pp. 507-546; David Shatz. *Concepts Of Autonomy In Jewish Law*, The Jewish Law Annual Vol. XII pp. 3-43; Daniel Sinclair. *The Obligation To Heal and Patient Autonomy In Jewish Law*, Journal Of Law and Religion Vol. 13 No. 2 (1998-1999) pp. 351-377

Week 5 – J. David Bleich. *Medical Malpractice And Jewish Law*, Tradition Vol. 39 No. 1 (2005) pp. 69-113; Abraham Steinberg. *Encyclopedia of Jewish Medical Ethics (English)*, Malpractice Vol. II (2003) pp. 623-633; Steven F. Friedell. *Medical Malpractice In Jewish Law: Some Parallels To External Norms And Practices*, Chicago-Kent Journal of International and Comparative Law, Vol. 6 (2006) pp. 1-25

Week 6 – Herschel Schachter. *Halakhic Aspects Of Family Planning*, Journal Of Halacha And Contemporary Society Vol. IV (1982) pp. 5-32; Abraham Steinberg. *Encyclopedia of Jewish Medical Ethics (English)*, Contraception Vol. I (2003) pp. 235-258; David M. Feldman. *The Mitzvah Of Procreation*, Marital Relations, Birth Control and Abortion In Jewish Law (1974) pp. 46-59; Mordechai Willig. *The Obligation To Procreate*, Am Mordechai (Hebrew), (2016) pp. 191-194

Week 7 - Abraham Steinberg. *Encyclopedia of Jewish Medical Ethics (English)*, Artificial Insemination Vol. I (2003) pp. 58-73; J. David Bleich. *Artificial Procreation*, Bioethical Dilemmas (1998) pp. 203-217; Alfred Cohen. *Artificial Insemination*, Journal Of Halacha And Contemporary Society Vol. XIII (1987) pp. 43-59; Fred Rosner. *Biomedical Ethics and Jewish Law*, Chapter 12 (2001) pp. 127-141

Week 8 – J. David Bleich. *Preimplantation Genetic Diagnosis And Jewish Law*, The Value Of Human Life: Contemporary Perspectives In Jewish Medical Ethics (2010) pp. 119-139; Michael J. Broyde. *Preimplantation Genetic Diagnosis, Stem Cells, and Jewish Law*, Tradition Vol. 38 No. 1 (2004) pp. 54-75; Abraham Steinberg. *Encyclopedia of Jewish Medical Ethics (English)*, In-Vitro Fertilization Vol. II (2003) pp. 571-586

Week 9 – Michael J. Broyde. *The Establishment Of Maternity And Paternity In Jewish And American Law*, National Jewish Law Review Vol. III (1988) pp. 117-158; Yehoshua Ben-Meir. *Legal Parenthood And Genetic Parenthood In Jewish Law*, The Jewish Law Annual Vol. XII (1997) pp. 153-166; Kenneth Brander. *Artificial Insemination and Surrogate Motherhood Through The Prism Of Jewish Law*, B'Or Ha'Torah 12 (2001) pp. 59-65

Week 10 - Abraham Steinberg. *Encyclopedia of Jewish Medical Ethics (English)*, Fetus Vol. II (2003) pp. 417-434; Texas State Law Senate Bill 8

Week 11 – J. David Bleich. *Abortion In Halakhic Literature*, Tradition Vol. 10 No. 2 (1968) pp. 72-120; Aharon Lichtenstien. *Abortion A Halakhic Perspective*, Tradition Vol. 25 No. 4 (1991) pp. 3-12; Abraham Steinberg. *Encyclopedia of Jewish Medical Ethics (English)*, Abortion Vol. I (2003) pp. 1-29

Week 12 – Daniel Eisenberg. *Self-Endangerment To Save Others*, Jewish Medical Ethics and Halacha Vol. VII No. 2 (2010) pp. 33-45; Dovid Cohen. *Taking Risks*, Journal Of Halacha And Contemporary Society Vol. XXXIII (1997) pp. 37-70

Week 13 - Dan Geisler. *Cosmetic Surgery In Halacha*, Journal Of Halacha And Contemporary Society Vol. XLVIII (1997) pp. 29-44; David B. Etengoff. *Halakhic Implications Of Cosmetic Surgery*, Journal Of Halacha And Contemporary Society Vol. XV (1988) pp. 79-91

Week 14 - Abraham Steinberg. *Encyclopedia of Jewish Medical Ethics (English)*, Transplantation Vol. III (2003) pp. 1088-1106; Abraham Ravitz. *Kidney Consultants (Hebrew Only) 2001*

Week 15 – Steven H. Resnicoff. *Supplying Human Body Parts: A Jewish Law Perspective*, DePaul Law Review Vol. 55 (2006) pp. 851-874; Alfred Cohen. *Sale Or Donation Of Human Organs*, Journal Of Halacha And Contemporary Society Vol. LII (2006) pp. 37-64; Alan Jotkowitz. *A Jewish Perspective On Compensation For Kidney Donation*, Jewish Medical Ethics and Halacha Vol. VII No. 2 (2010) pp. 13-19

Bioethics & Jewish Law II Syllabus

Instructor

Rabbi Kalman Laufer

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Office Hours

By Appointment

Course Overview

This course will serve as a follow up to BJL I and will build on the foundations developed in the previous Semester. The course will begin by applying the ethics framework to more difficult areas of Bioethics beginning with end of life decisions. This course will also introduce how Jewish Bioethics approaches larger issues in the field such as research ethics and public policy. Each Unit will include Harvard Business School style case study discussions to practice analysis and application of the framework Jewish Law establishes. Comparative analyses will be performed throughout the course to differentiate and discuss how to navigate differences between Jewish Law and secular ethical approaches used in our healthcare system.

Course Objectives

The goals of this course are to establish a basic framework of both secular and Jewish bioethics that can be applied in the field. Additionally, this course will focus on the ability to break down both classical Jewish texts as well as contemporary articles and secular case law to understand the ramifications of the questions that clinicians and patients will face in the future. This course will strive to create a community of learners that is centered on the contributions of the members to the discussion and as such the expectation is that students will be motivated and engaged on a regular basis.

Course Structure

Each class will run for 2.5 hours and will include lecture on the topic of that day as well as group discussion. Preparation/research for each class session will require advance readings as well as primary text source study in order to be prepared for each session. The expectation is for there to be 6 hours of preparation and fulfillment of assignments per week.

Course Prerequisites

Bioethics & Jewish Law I is required. This class will earn a total of three (3) credits.

Course Material

Students will need to purchase Beauchamp and Childress, Principles of Biomedical Ethics, Oxford University Press; 8th edition (October 1, 2019), ISBN-13 : 978-0190640873.

All other materials will be provided by the instructor or will be reserved electronically in the Library.

Assessments

There are 2 options for the first assessment. Option 1 is to submit three (3) essays 2 pages in length each, responding to a different reading in each essay (you may not pick more than one reading to respond to from each Unit). Responses should consist of an argument and supporting evidence from the texts (classical and contemporary).

Option 2 is to write a research paper on a topic of your choice related to the course of study. Research papers should be 6-8 pages in length and should use textual evidence to support the argument. Topics should be within areas of Bioethics and should seek to answer a specific question or dilemma within the chosen research topic.

Additionally, Students will post questions and responses to their peers on the class discussion board regarding their analysis of the readings and their preparation of the primary source material. Posts will be substantive and contribute to the deeper analysis of ethical dilemmas.

Lastly, the final 2 class sessions will be “intensives” where role playing exercises will be used to practice clinical skills. These role plays will be based on real cases that have been dealt with in clinical settings and broken in to different roles for each participant. Each participant receives a prompt and role specific information and each course member will rotate through the role of clinical ethicist as well as the various other roles. Each intensive will begin with a primer on applying the ethical models learned over the course of BIOE I and BIOE II up to that point, followed by the role playing exercise guided by the instructor.

The final project will require a detailed written analysis of the case in which each role and the ethical challenges (from the role playing intensive) will be analyzed and possible solutions or negotiated settlements suggested (~10 pages) and a sample of a clinical ethics note (not to exceed 2 pages). The ethics note will follow standard note structure as is consistent with the standards set forth in the core competencies for Healthcare Ethics Consultation, as published in the ASBH standards. This standard and format will be provided to students in due course and will be covered as part of the Intensive class sessions described above.

Grading Policies

The work of each student is graded on the following scale in accordance with the RIETS handbook:

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Course Units

Unit Number	Title	Detail
Week 1	Reproductive & Sterilization Operations	
Week 2	Diminished Capacity	
Week 3	Surrogates & Substituted Decisions	Guardianship, Patient Alone
Week 4	Withholding & Withdrawal Of Treatment	DNR, DNI
Week 5	Goses: End Of Life Options	
Week 6	Physician Assisted Suicide	
Week 7	Brain Death Part I	Neurologic Criteria
Week 8	Brain Death Part II	Dead Donor Rule
Week 9	Research Ethics I	Experimental
Week 10	Research Ethics II	Human Challenge Trials
Week 11	Public Health I	Triage and Public Good
Week 12	Public Health II	Drug Use & SIS
Week 13	Public Health III	Jewish Communal Obligations
Week 14	Bioethics Consultations	

Unit Number	Title	Detail
Week 15	Bioethics Mediation	

Assigned Readings

Week 1 – Edward Reichman. *The Halakhic Chapter Of Ovarian Transplantation*, Tradition Vol. 33 No. 1 (1998) pp. 31-70; Edward Reichman. *Uterine Transplantation and The Case Of The Mistaken Question*, Tradition Vol. 37 No. 2 (2003) pp. 20-41; J. David Bleich. *Survey Of Recent Halakhic Periodical Literature: Prostate Surgery*, Tradition Vol. 20 No. 3 (1982) pp. 254-264

Week 2 – J. David Bleich. *Mental Incompetence*, Journal Of Halacha And Contemporary Society Vol. () pp. 123-143; Rael Strous. *The Shoteh And Psychosis In Halakhah With Contemporary Clinical Application*, The Torah u-Madda Journal Vol. 12 (2004) pp. 158-178

Week 3 – Asher Weiss. *Minchat Asher (Hebrew)*, Vol. 3 Responsum No. 124; Zev Schostak. *Precedents For Hospice and Surrogate Decision Making In Jewish Law*, Tradition Vol. 34 No. 2 (2000) pp. 40-57

Week 4 – Jason Weiner. *Jewish Guide To Practical Decision Making*, Urim Publishers (2017) Chapter 4 pp. 113-153

Week 5 – Judah Goldberg. *A Halakhic Framework For Decision Making In Acute Critical Illness*, Tradition Vol. 53 No. 1 (2021) pp. 78-95; Abraham Steinberg. *Encyclopedia of Jewish Medical Ethics (English)*, Terminally III Vol. III (2003) pp. 1046-1088

Week 6 – Abraham Steinberg. *Encyclopedia of Jewish Medical Ethics (English)*, Suicide Vol. III (2003) pp. 1024-1034; Steven H. Resnicoff. *Jewish Law Perspectives on Suicide and Physician-Assisted Dying*. Journal of Law and Religion Vol. 13 No. 2 (1998) pp. 289–349

Week 7 - Abraham Steinberg. *Encyclopedia of Jewish Medical Ethics (English)*, Moment Of Death Vol. II (2003) pp. 695-711; J. David Bleich. *Establishing Criteria Of Death*, Tradition Vol. 13 No. 3 (1973) pp. 90-112

Week 8 – David Shabtai. *Defining The Moment*, Chapter 1-4 (2012) pp. 3-68

Week 9 – J David Bleich. *Experimental Procedures: The Concept Of Refu'ah Bedukah*, Contemporary Halakhic Problems Vol. IV (1995) pp. 203-217

Week 10 - J David Bleich. *Utilization Of Scientific Data Obtained Through Immoral Experimentation*, Contemporary Halakhic Problems Vol. IV (1995) pp. 218-236

Week 11 – Michael Siev. *Saving Lives: Are There Limits?!*, Journal of Halacha And Contemporary Society Vol. LXII (2011) pp. 101-119; Noam J. Zohar. *A Jewish Perspective On Access To Healthcare*; Cambridge Quarterly of Healthcare Ethics Vol. 7 (1998) pp. 260–265; Akiva Tatz. *One Ventilator Two Patients: Triage In Jewish Law*, The Value Of Human Life: Contemporary Perspectives in Jewish Medical Ethics (2010) pp. 91-103

Week 12 – Nehal P. Vadhan, Carl L. Hart, et al. *Substance Use and Psychosocial Outcomes Following Participation in Residential Laboratory Studies of Marijuana, Methamphetamine and Zolpidem*, The American

Journal of Drug and Alcohol Abuse, Vol. 32 (2006) pp. 589–597; J. David Bleich. *AIDS: A Jewish Perspective*, Tradition Vol. 26 No. 3 (1992) pp. 49-80

Week 13 - Aharon Lichtenstein. *The Obligation To Procreate*, Yeshivat Etzion VBM

Week 14 - *Core Competencies for Health Care Ethics Consultation*, 2nd edition (Glenview, IL: American Society for Bioethics and Humanities, 2011).

Week 15 - *Bioethics Mediation: A Guide to Shaping Shared Solutions* (Nashville, Vanderbilt University Press, 2011)